

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 94

## **HOUSE BILL 2585**

AN ACT

AMENDING SECTION 36-2602, ARIZONA REVISED STATUTES; RELATING TO THE  
CONTROLLED SUBSTANCES PRESCRIPTION MONITORING PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Subject to the requirements of article IV, part 1, section  
3 1, Constitution of Arizona, section 36-2602, Arizona Revised Statutes, is  
4 amended to read:

5 36-2602. Controlled substances prescription monitoring program;  
6 contracts; retention and maintenance of records

7 A. The board shall adopt rules to establish a controlled substances  
8 prescription monitoring program. The program shall:

9 1. Include a computerized central database tracking system to track  
10 the prescribing, dispensing and consumption of schedule II, III and IV  
11 controlled substances that are dispensed by a medical practitioner or by a  
12 pharmacy that holds a valid license or permit issued pursuant to title 32.  
13 THE DATABASE SHALL INCLUDE DATA FROM THE DEPARTMENT OF HEALTH SERVICES THAT  
14 IDENTIFIES RESIDENTS OF THIS STATE WHO POSSESS A REGISTRY IDENTIFICATION CARD  
15 ISSUED PURSUANT TO CHAPTER 28.1 OF THIS TITLE. The tracking system shall not  
16 interfere with the legal use of a controlled substance for the management of  
17 severe or intractable pain.

18 2. Assist law enforcement to identify illegal activity related to the  
19 prescribing, dispensing and consumption of schedule II, III and IV controlled  
20 substances.

21 3. Provide information to patients, medical practitioners and  
22 pharmacists to help avoid the inappropriate use of schedule II, III and IV  
23 controlled substances.

24 4. Be designed to minimize inconvenience to patients, prescribing  
25 medical practitioners and pharmacies while effectuating the collection and  
26 storage of information.

27 B. The board may enter into private or public contracts, including  
28 intergovernmental agreements pursuant to title 11, chapter 7, article 3, to  
29 ensure the effective operation of the program. Each contractor must comply  
30 with the confidentiality requirements prescribed in this article and is  
31 subject to the criminal penalties prescribed in section 36-2610.

32 C. The board shall maintain medical records information in the program  
33 pursuant to the standards prescribed in section 12-2297.

34 Sec. 2. Requirements for enactment; three-fourths vote

35 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
36 section 36-2602, Arizona Revised Statutes, as amended by this act, is  
37 effective only on the affirmative vote of at least three-fourths of the  
38 members of each house of the legislature.

APPROVED BY THE GOVERNOR APRIL 13, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2011.

Passed the House March 2, 20 11

by the following vote: 51 Ayes,

6 Nays, 3 Not Voting  
Article IV, part 1, section 1

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

(on reconsideration)  
Passed the Senate April 5, 20 11

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting

With Art. IV, part 1, section 1  
[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

7 day of April, 20 11

at 10:55 o'clock A. M.

[Signature]  
Secretary to the Governor

Approved this 13<sup>th</sup> day of

April

at 10:16 o'clock A. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 13<sup>th</sup> day of April, 20 11

at 4:59 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2585